

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Fig. 4(d). This sheet 3/6, which includes Fig. 4(d), replaces the original sheet including Fig. 4(d).

**REMARKS/ARGUMENTS**

Applicants received the Notice of Abandonment mailed by Primary Examiner Phat Cao April 2, 2009 (Paper No. 20090330) although Applicants attach a copy of its PTO receipt card confirming PTO receipt of the responsive amendment and extension of time on Monday, March 30, 2009.

**Interview Summary Record**

Upon receipt of the Notice of Abandonment and on April 7, 2009, Applicants' undersigned representative contacted Examiner Kalam by telephone in order to point out to the Patent Office that the Amendment filed March 30, 2009 was indeed timely filed with respect to the outstanding Official Action. Applicant's representative reminded the Examiner, that the due date for response to the September 29, 2008 Official Action was March 29, 2009 and, because March 29, 2009 fell on a Sunday, the response filed on March 30, 2009 was fully responsive and timely to the outstanding Official Action.

Applicants' undersigned representative led Examiner Kalam through the uspto.gov website and reviewed the Public PAIR system which Examiner Kalam confirmed clearly indicated that on March 30, 2009, the U.S. PTO received the Amendment and the three-month extension of time, thereby timely completing Applicants' response to the outstanding Official Action. Examiner Kalam indicated that he would have the Notice of Abandonment withdrawn and that he would confirm this withdrawal in an Interview Summary Record.

Having not received any Interview Summary Record, Applicants wish to make these facts of record in this application and formally requests the U.S. PTO to withdraw the Notice of Abandonment.

**Correction to Claim 14 and Correction to Figure 4(d)**

As previously noted, it is Applicants' contention that the independent claims are generic to a number of the species pending in Applicants' claims. Applicants' claim 14, however, as previously amended, requires one of the surfaces of the semitransparent metal electrode to have a periodic microstructure. However, the intent of claim 14 was to cover both (1) devices in which one of the surfaces of the semitransparent metal electrode included a periodic microstructure and (2) devices in which the semitransparent metal electrode supported a periodic microstructure. Applicants also discovered that Figure 4(d) as filed in the United States did not properly depict the subject matter described in Figure 4(d). Therefore an amendment to the drawings is appropriate and Applicants enclose herewith a substitute sheet 3/6 with Figure 4(d) corrected.

The Examiner's attention is directed to page 17 of Applicants' specification and in particular the discussion of Figure 4(d) which "illustrates the case where a further dielectric layer is deposited on the cathode and wherein there is a periodic microstructure at the further dielectric layer/air interface only." In the first paragraph on page 21, the specification states "[i]n Figure 4d there is a layer of dielectric or semiconductor (the anode is not shown), a metal comprising cathode which is flat or substantially flat on both surfaces. Instead of the next layer being air there is deposited a further dielectric layer with a periodic microstructure." These statements in the specification do not properly describe Figure 4(d) as originally filed because it discloses only two layers, whereas the description references three layers, i.e., layer 1 "a layer of dielectric or semiconductor," layer 2 "a metal comprising cathode which is flat or substantially flat on both sides" and layer 3 being "a further dielectric layer with a periodic microstructure."

In view of the specification language, Applicants have corrected Figure 4(d) to properly show the three recited layers which make up the optoelectronic light emitting device. Entry of this drawing amendment is respectfully requested.

By reference to Applicants' specification, the Examiner will appreciate that Figures 4(a) through 4(c) all recite a lower light emitting layer and that the upper layer in each of these three Figures is the cathode. While in Figures 4(a) and 4(b) the cathode has a periodic microstructure itself, the cathode in Figure 4(d) does not have a periodic microstructure and instead merely supports a periodic microstructure in the "further dielectric layer." Applicants have thus amended claim 14 to generically reference both alternatives, i.e., where the metal electrode surface has a periodic microstructure and where the metal electrode surface merely supports a structure having a periodic microstructure. Accordingly, there is clear support for Applicants' claim amendment and consideration of this amended claim is respectfully requested.

Applicants note that the previously filed Amendment contains sufficient arguments distinguishing the claimed invention from the prior art cited by the Examiner and therefore favorable consideration of the amended claim 14 is also requested.

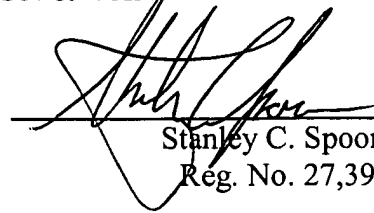
Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that remaining claims 1, 2, 4, 6-8, 10, 11, 14, 15 and 17-19 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

BARNES et al  
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Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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Attachment: Copy of PTO receipt card for the March 30, 2009 Amendment  
Replacement Sheet 3/6